

103D CONGRESS  
1ST SESSION

# S. 450

To advance the development and transfer of environmental and other nonmilitary technologies, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 25 (legislative day, JANUARY 5), 1993

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To advance the development and transfer of environmental and other nonmilitary technologies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Technology  
5 Advancement Act of 1993”.

### 6 **SEC. 2. DEFINITIONS.**

7 As used in this Act:

8 (1) AGREEMENT.—The term “agreement”  
9 means an agreement entered into pursuant to sec-  
10 tion 3.

1           (2) DIRECTOR.—The term “Director” means  
2           the director of a national laboratory that enters into  
3           an agreement for a project.

4           (3) INDUSTRIAL ORGANIZATION.—The term  
5           “industrial organization” means an industrial orga-  
6           nization as described in section 12(a)(1) of the Ste-  
7           venson-Wydler Technology Innovation Act of 1980  
8           (15 U.S.C. 3710a(a)(1)).

9           (4) NATIONAL LABORATORY.—The term “na-  
10          tional laboratory” means a facility operated by or on  
11          behalf of the Department of Energy that is a labora-  
12          tory as the term is defined in section 12(d)(2) of the  
13          Stevenson-Wydler Technology Innovation Act of  
14          1980 (15 U.S.C. 3710a(d)(2)).

15          (5) PROJECT.—The term “project” means a  
16          project consisting of environmental research, or  
17          other research in technology that has a nonmilitary  
18          commercial application, that is conducted pursuant  
19          to an agreement.

20          (6) SECRETARY.—Except as otherwise provided,  
21          the term “Secretary” means the Secretary of En-  
22          ergy.

1 **SEC. 3. NONMILITARY TECHNOLOGY FUNDING.**

2 Of the funds made available for fiscal year 1993 to  
3 the Department of Energy for the activities of the national  
4 laboratories, the Secretary—

5 (1) shall make available to the Directors not  
6 less than 20 percent for environmental research, and  
7 other research in technology that has nonmilitary  
8 commercial applications, that is conducted pursuant  
9 to cooperative research and development agreements  
10 entered into by and between the national labora-  
11 tories and industrial organizations pursuant to sec-  
12 tion 12(a) of the Stevenson-Wydler Technology In-  
13 novation Act of 1980 (15 U.S.C. 3710a(a)); and

14 (2) in consultation with the Secretary of Com-  
15 merce, may make available to the Directors not  
16 more than an additional 30 percent for environ-  
17 mental research, and other research in technology  
18 that has nonmilitary commercial applications, of the  
19 national laboratories.

20 **SEC. 4. AGENCY APPROVAL.**

21 (a) IN GENERAL.—Subject to section 5, each agree-  
22 ment shall be entered into at the discretion of the Direc-  
23 tor. Section 12(c)(5) of the Stevenson-Wydler Technology  
24 Innovation Act of 1980 (15 U.S.C. 3710a(c)(5)) shall not  
25 apply to an agreement.

1 (b) RESEARCH PENDING REVIEW.—At the discretion  
2 of the Director, a project may be conducted during the  
3 period prior to approval or disapproval of the project pur-  
4 suant to section 5.

5 **SEC. 5. REVIEW BY THE SECRETARY.**

6 (a) REVIEW.—

7 (1) IN GENERAL.—Not less than 1 year after  
8 the date on which a Director approves initial fund-  
9 ing for a project and in accordance with the stand-  
10 ards developed and published under subsection (b),  
11 the Secretary shall review and approve, request a  
12 specific modification to, or disapprove the project.

13 (2) APPROVAL.—If the Secretary approves a  
14 project pursuant to paragraph (1), the Director may  
15 approve further funding for the project.

16 (3) REQUEST FOR MODIFICATIONS.—If the Sec-  
17 retary requests a specific modification pursuant to  
18 paragraph (1), the Secretary shall transmit to the  
19 Director as soon as practicable a written explanation  
20 of the modification.

21 (4) DISAPPROVAL.—If the Secretary dis-  
22 approves a project pursuant to paragraph (1), the  
23 Director may not approve any further funding for  
24 the project.

1       (b) STANDARDS FOR REVIEW.—Not later than 60  
2 days after the date of enactment of this Act, the Sec-  
3 retary, in consultation with the Secretary of Commerce,  
4 shall develop and publish standards of technical excellence,  
5 feasibility, and potential commercial viability to be used  
6 in the review under subsection (a).

7       (c) FAILURE TO REVIEW.—If the Secretary fails to  
8 complete a review of a project under subsection (a) by the  
9 date that is 18 months after the date referred to in sub-  
10 section (a)(1), the project shall be deemed to be approved  
11 and the Director may approve further funding for the  
12 project.

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